

## COMMISSION MEETING MINUTES

JANUARY 15, 2015

A MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, TENNESSEE was held in the Commission Chambers of the Municipal and Safety Building, 601 East Main Street, Johnson City, Tennessee on Thursday, January 15, 2015.

PRESENT: Mayor Ralph Van Brocklin, Vice-Mayor Clayton Stout, Commissioners Jeff Banyas, Jenny Brock and David Tomita, Charles Stahl, IV, Assistant City Manager, for Pete Peterson, City Manager, and Janet Jennings, City Recorder.

Mayor Ralph Van Brocklin called the meeting to order at 6:01 p.m.

At this time, Reverend C.H. Charlton, Pastor, Friendship Baptist Church, gave the invocation, which was followed by the pledge of allegiance.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the minutes of the regularly scheduled City Commission Meeting held on Thursday, December 18, 2014, be and the same are hereby approved.

At this time, Mayor Ralph Van Brocklin presented a proclamation recognizing the 100 year birthday of the Chamber of Commerce serving Johnson City-Jonesborough-Washington County. Present to accept: Gary Mabrey, President and CEO, Chamber of Commerce, Lottie Ryans, Outgoing Board Chair, and Jeff Jones, Incoming Board Chair.

***Whereas***

business is a crucial component to the success of any community, enhancing quality of life through the pursuit of the free enterprise system; and

***Whereas***

in the 146-year history of Johnson City as well as the storied history of Tennessee's oldest Town of Jonesborough in Washington County, our growth has come because of entrepreneurs such as Henry Johnson, George Carter, and others who invested not only their resources, but themselves into developing this great community; and

***Whereas***

several organizations such as the Board of Enterprise, Johnson City Business Club, Board of Trade, and Commercial Club; have been formed so that a network and connections could be made to achieve greater success; and

***Whereas***

in 1915, a group of businessmen led by Amzi Smith organized the Johnson City Area Chamber of Commerce; and

***Whereas***

July 6 will mark the 100th birthday of the Chamber of Commerce serving Johnson City-Jonesborough-Washington County, whose purpose is to promote business, enhance economic and community development, and serve as a catalyst for improving the quality of life in the community and region; and

***Whereas***

the growth of our city, county, town, and region has been because of the vision of the Chamber's Boards, members, staffs, and ongoing collaborations with public and private entities and institutions.

***Now, Therefore We,*** the City of Johnson City, the Town of Jonesborough, and the County of Washington, extend to the Chamber of Commerce congratulations and appreciation for 100 years of continuous efforts to effectuate the very best for our respective communities and the region. We look forward to further cooperative efforts that will ensure our community will be the choice for business to expand, develop and grow.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor  
Johnson City, Tennessee

/s/ Kelly Wolfe

Kelly Wolfe, Mayor  
Jonesborough, Tennessee

/s/ Daniel J. Eldridge

Daniel J. Eldridge, Mayor  
Washington County, Tennessee

At this time, Mayor Ralph Van Brocklin presented a Retirement Resolution to Sherry Stevens. Charles Stahl, IV, Assistant City Manager, presented her a retirement watch. Mark Sirois, Police Chief, commended her for her service.

**Whereas** Sherry Stevens began her career with the City of Johnson City on Sept. 26, 1977 as a Clerk/Typist II for Juvenile Court, where she worked for nearly three and a half years before transferring to the Police Department's Records Division; and

**Whereas** over the next 14 years, Sherry climbed the ranks to become Secretary, Office Manager and finally Administrative Coordinator, a position she held from July 1995 until her retirement on Jan. 2, 2015; and

**Whereas** Sherry has the distinction of serving four Police chiefs – the late Fred Phillips, Ron Street, John Lowry and Mark Sirois – doing so with dignity, respect and enthusiasm; and

**Whereas** Sherry was a true volunteer throughout her career, always offering to serve during employee events and, because of the lifelong friendships she fostered over the past 37 years, played a crucial role in maintaining a strong relationship between the department and its retirees.

**Now, Therefore, Be It Resolved**, by the Board of Commissioners of the City of Johnson City, Tennessee, upon her retirement, that Sherry Stevens is officially commended for her service to the City and the community.

**Be It Further Resolved**, that a copy of this Resolution be presented to Sherry Stevens along with well wishes in her future endeavors.

**In Witness Whereof**, I have  
hereunto set my hand and caused the Official Seal  
of the City of Johnson City, Tennessee, to be  
affixed this 15th day of January, 2015.

/s/ Ralph J. Van Brocklin

Ralph J. Van Brocklin, Mayor

At this time, Tara Fenner, Blackburn, Childers & Steagall, CPA's, presented an overview of the fiscal year 2013-2014 Audit Report.

At this time, Mayor Ralph Van Brocklin opened the public input session. No one spoke.

Upon motion by Commissioner David Tomita, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Special Occasion Beer License Application for Trout Unlimited, d/b/a Over Mountain TU Chapter, 818 Blue Springs Road, Elizabethton, Tennessee, for the Thirsty Orange Event at The Millennium Centre, Johnson City, Tennessee on April 11, 2015, be and the same is hereby approved. Ron Harrington and Aaron Carson, applicants, were present.

## COMMISSION MEETING MINUTES

JANUARY 15, 2015

Upon motion by Commissioner Jeff Banyas, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a Certificate of Compliance for Chiragkumar Patel, d/b/a AAA Package Store, 910 West Market Street, Johnson City, Tennessee, be and the same is hereby approved. Chiragkumar Patel was present.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Walgreen Co., d/b/a Walgreens #13891, 429 North State of Franklin Road, Johnson City, Tennessee, be and the same is hereby approved. Timothy Mullins, General Manager, was present.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Walgreen Co., d/b/a Walgreens #07285, 2240 North Roan Street, Johnson City, Tennessee, be and the same is hereby approved. Timothy Mullins, General Manager, was present.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Walgreen Co., d/b/a Walgreens #10918, 4210 North Roan Street, Johnson City, Tennessee, be and the same is hereby approved. Timothy Mullins, General Manager, was present.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Walgreen Co., d/b/a Walgreens #06256, 1430 South Roan Street, Johnson City, Tennessee, be and the same is hereby approved. Timothy Mullins, General Manager, was present.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

## COMMISSION MEETING MINUTES

JANUARY 15, 2015

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Walgreen Co., d/b/a Walgreens #09459, 5953 Highway 11E, Johnson City, Tennessee, be and the same is hereby approved. Timothy Mullins, General Manager, was present.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a beer license for Walgreen Co., d/b/a Walgreens #11113, 5104 Bobby Hicks Highway, Gray, Tennessee, be and the same is hereby approved. Timothy Mullins, General Manager, was present.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing on Friday, January 30, 2015, from 8:30 a.m. until 1:00 p.m. for the installation of the "Our Body, The Universe Within" Exhibit, as requested by Hands On! Regional Museum, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Vice-Mayor Clayton Stout, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That a street closing on Saturday, April 11, 2015, from 9:00 a.m. until 7:00 p.m., as requested by Ron Harrin for the Run for the Booty 5K race, be and the same is hereby approved. Karen Hubbs, Event Manager, was present.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the pulling from the Consent Agenda of Bid 5879 from Taff and Frye, Former U-Haul location asbestos abatement and demolition, be and the same is hereby approved.

Upon motion by Commissioner Jenny Brock, seconded by Commissioner David Tomita, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the **deferral** of the consideration of Bid 5879 from Taff and Frye, Former U-Haul location asbestos abatement and demolition, until the February 5, 2015, City Commission meeting, in order to allow time to make the following determinations: (1) structural soundness of the sign, (2) parties responsible for determining what will go on the sign, (3) parties responsible for new sign face, and (4) parties responsible for ongoing maintenance, be and the same is hereby approved.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That remainder of the Consent Agenda for January 15, 2015, be and the same is hereby approved.

**CONSENT AGENDA:**

**A. GENERAL:**

**i. Emergency Management Agency**

Consider approval of Grant Contract between the State of Tennessee Department of Military, Tennessee Emergency Management Agency and City of Johnson City for Emergency Management Preparedness Grant

**ii. Public Works Department**

Consider settlement agreement for property acquisition in the amount of \$18,700 for the construction of a roundabout at the intersection of Mountainview Road and Browns Mill Road

**iii. Public Works Department**

Consider Partial Closing Costs (Relocation Expenses) in the amount of \$475.00 for Tract 6 on the Indian Ridge Road/State of Franklin Road Intersection Project

**iv. Johnson City Police Department**

Consider addendum to existing TCCRP Memorandum of Understanding with First Tennessee Human Resource Agency

**v. Johnson City Police Department**

Consider TCCRP Grant budget amendment for 2015 programming expenditures

vi. **Transit**

Consider approval for continuing Greyhound Lines Inc. lease contract for two-(2) years with Johnson City Transit System

vii. **Parks & Recreation**

Consider a grant contract between the State of Tennessee Department of Environment and Conservation and the City of Johnson City for the Johnson City Rotary Park Boundless Playground

**B. INVOICES:**

- i. Mattern & Craig ..... \$9,850.00  
Public Works Department  
VA Access Road Project  
Funding Source: Federal HPP & 20% Local Funds
- ii. E. Luke Greene ..... \$47,070.00  
Public Works Department  
Demolition of Kelly Foods Building  
Funding Source: Stormwater Fund
- iii. Blackburn Childers & Steagall ..... \$126,000.00  
Finance Department **(FINAL PAYMENT)**  
FY 2014 Audit  
Funding Source: Budgeted Expense
- iv. J.E. Green ..... \$176,919.72  
Finance ~ Pay Request #6  
Construction of New Field House at Kermit Tipton Stadium  
Funding Source: Donations & Fees Reserved for Fieldhouse
- v. Thomas Construction Company ..... \$39,543.09  
Water & Sewer Services **(FINAL PAYMENT)**  
Balancing Change Order & Retainage Release on  
Galvanized Waterline Replacement Project  
Funding Source: Budgeted Expense

- vi. Littlejohn Engineering ..... \$2,290.00  
Water & Sewer Services ~ Task Order #1  
Cash Hollow Sewer Basin Evaluation & Rehabilitation  
Funding Source: Budgeted Expense
- vii. Littlejohn Engineering ..... \$1,131.68  
Water & Sewer Services ~ Task Order #1  
Cash Hollow Sewer Basin Evaluation & Rehabilitation  
Funding Source: Budgeted Expense
- viii. Wiedeman & Singleton ..... \$3,160.00  
Water & Sewer Services ~ Task Order #8  
Watauga Water Plant Hypochlorite Disinfection Conversion  
Funding Source: Bond Funded
- ix. CDM Smith ..... \$78,169.74  
Water & Sewer Services  
Brush Creek & Knob Creek Wastewater Treatment Plant Improvements  
Funding Source: Bond Funded
- x. CDM Smith ..... \$50,891.24  
Water & Sewer Services  
Brush Creek & Knob Creek Wastewater Treatment Plant Improvements  
Funding Source: Bond Funded
- xi. CDM Smith ..... \$2,400.00  
Water & Sewer Services ~ Task Order #7  
Brush Creek Aeration System Energy Upgrade Phase 1  
Funding Source: Bond Funded
- xii. Tysinger, Hampton & Partners ..... \$3,859.43  
Water & Sewer Services ~ Work Order #3  
Lark Street Utilities  
Funding Source: Budgeted Expense



- xiii. Lamar Dunn & Associates . . . . . \$4,942.80  
Water & Sewer Services ~ Work Order #2  
Emergency Generator at State of Franklin Water Booster Station  
Funding Source: Bond Funded
- xiv. Tank Industry Consultants . . . . . \$6,579.51  
Water & Sewer Services ~ Work Order #26  
Watauga Water Wash Tank & Tri-County Industrial Park Observation  
Funding Source: Budgeted Expense
- xv. Portland Utilities . . . . . \$85,227.15  
Water & Sewer Services ~ Pay Request #4  
2014 Sewer Rehabilitation (Indian Ridge Rd~Lakeview Dr~Oak Grove Rd)  
Funding Source: Budgeted Expense
- xvi. Energy Systems Group . . . . . \$132,090.01  
Administration ~ Pay Request #2  
Freedom Hall Civic Center Lighting Improvements  
Funding Source: Capital Outlay Notes

**C. BIDS:**

- i. ITB# 5879  
Taff and Frye . . . . . \$77,300.00  
Former UHaul Asbestos Abatement & Demolition  
Funding Source: Budgeted Expense

## ii. ITB# 5884

Municipal Emergency Services ..... \$124,955.20

Fire Department ~ Fire Fighters Protective Gear

Funding Source: Firefighter Grant Fund

TABULATION OF BIDS  
CITY OF JOHNSON CITY, TENNESSEE  
DECEMBER 18, 2014  
**ITB #5884 FIRE FIGHTER PROTECTIVE GEAR -FIRE DEPT**

|                                               | Coat     | Pants w/ Suspenders | Unit Price/Set<br>(80 sets) | Total      |
|-----------------------------------------------|----------|---------------------|-----------------------------|------------|
| NAFECO                                        | 1,031.85 | 674.50              | 1,706.35                    | 136,508.00 |
| Municipal Emergency Services, Inc.            | 889.39   | 672.55              | 1,561.94                    | 124,955.20 |
| No Response: EVS                              |          |                     |                             |            |
| RECOMMEND ACCEPTANCE OF LOW BID CIRCLED ABOVE |          |                     |                             |            |

**D. PURCHASES:**

i. Motorola Solutions ..... \$141,039.00

Fleet Management

Annual Maintenance Agreement

Funding Source: Budgeted Expense

**E. PROPOSALS:**

i. RFP# 5852

Staff Pro ..... \$135,960.00

Public Works Department ~ Street &amp; Solid Waste Divisions

Temporary Labor Services ~ Change Order Request

Funding Source: Budgeted Expense

At this time, a public hearing was held for the Plan of Services Progress Report for the following: Highland Parc Phase 4, 4506 Bristol Highway, 2517 Knob Creek Road, Oliver Farms Phase 2 and Highland Parc Phase 5 Annexation Areas. No one spoke for or against this item.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Plan of Services Progress Report for the following: Highland Parc Phase 4, 4506 Bristol Highway, 2517 Knob Creek Road, Oliver Farms Phase 2 and Highland Parc Phase 5 Annexation Areas, be and the same is hereby approved.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jeff Banyas, **Ordinance No. 4571-14**, "TO REZONE 1404 WEST STATE OF FRANKLIN ROAD FROM B-4 (PLANNED ARTERIAL BUSINESS) TO B-3 (SUPPORTING CENTRAL BUSINESS)," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

#### **ORDINANCE NO. 4571-14**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE BEING PART OF THE APPENDIX TO ORDINANCE NO. 1519 ENTITLED "AN ORDINANCE TO ADOPT A CODE OF LAWS AND ORDINANCES FOR THE CITY OF JOHNSON CITY, TENNESSEE, AND TO REPEAL ALL LAWS AND ORDINANCES IN CONFLICT THEREWITH", AND AMENDATORY THEREOF, BY CHANGING FROM A B-4 (PLANNED ARTERIAL BUSINESS) DISTRICT TO A B-3 (SUPPORTING CENTRAL BUSINESS) CERTAIN PROPERTY LOCATED AT 1404 W. STATE OF FRANKLIN ROAD.

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#### **BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** That the Zoning Map of the city of Johnson City, Tennessee, being a part of the appendix to Ordinance No. 1519 entitled, "An Ordinance to Adopt a Code of Laws and Ordinances for the City of Johnson City, Tennessee, and to Repeal All Laws and Ordinances in Conflict Therewith," and all ordinances supplementary thereto and amendatory thereof, be and the same is hereby amended and modified by changing the zoning on the following described property from a B-4 (Planned Arterial Business) District to a B-3 (Supporting Central Business) District.

See description marked "Exhibit 'A'" hereto.

See map of the above-described property marked "Exhibit 'B'" hereto.

**SECTION 2. BE IT FURTHER ORDAINED,** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. BE IT FURTHER ORDAINED,** That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING  
PASSED ON SECOND READING  
PASSED ON THIRD READING

04 DEC 2014  
18 DEC 2014  
15 Jan 2015

APPROVED AND SIGNED IN OPEN MEETING  
ON THE 15<sup>th</sup> DAY OF January, 2015

/s/ Ralph Van Brocklin  
MAYOR

**ATTEST:**

/s/ Janet Jennings  
City Recorder

**APPROVED AS TO FORM:**

/s/ James H. Epps, IV  
City Attorney

**"Exhibit 'A'"**

LOT 8, UNIVERSITY SQUARE SUBDIVISION, PLAT BOOK 20, PAGE 216

LYING IN THE NINTH CIVIL DISTRICT OF WASHINGTON COUNTY, TENNESSEE AND LYING  
WITHIN  
THE CITY OF JOHNSON CITY, TENNESSEE AND BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

BEGINNING AT AN EXISTING IRON ROD IN THE NORTHERLY RIGHT OF WAY OF STATE FO  
FRANKLIN ROAD, SAID IRON ROD BEING A CORNER TO LOTS 8 AND 9 OF UNIVERSITY SQUARE  
SUBDIVISION.

THENCE; ALONG THE NORTHERLY RIGHT OF WAY OF STATE OF FRANKLIN ROAD ALONG A  
CURVE TO THE RIGHT HAVING A RADIUS OF 4,541.66 FEET FOR A LENGTH OF 104.01 FEET  
(CHORD= SOUTH 54 DEGREES 12 MINUTES 09 SECONDS WEST - 104.00') TO AN EXISTING IRON  
ROD.

THENCE; SOUTH 54 DEGREES 51 MINUTES 31 SECONDS WEST - 104.21 FEET TO AN EXISTING  
IRON ROD.

THENCE; LEAVING THE NORTHERLY RIGHT OF WAY OF STATE OF FRANKLIN ROAD, NORTH 35  
DEGREES 14 MINUTES 21 SECONDS WEST - 419.41 FEET CROSSING BRUSH CREEK TO AN  
EXISTING IRON ROD IN THE SOUTHERLY RIGHT OF WAY OF SOUTHERN RAILROAD.

THENCE; ALONG THE SOUTHERLY RIGHT OF WAY OF THE RAILROAD ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,892.40 FEET FOR A LENGTH OF 66.88 FEET (CHORD = NORTH 39 DEGREES 10 MINUTES 41 SECONDS EAST - 66.88') TO AN EXISTING IRON ROD.

THENCE; ALONG THE RAILROAD, NORTH 38 DEGREES 30 MINUTES 56 SECONDS EAST - 332.25 FEET TO AN EXISTING IRON ROD, CORNER TO LOT 1, UNIVERSITY SQUARE SUBDIVISION.

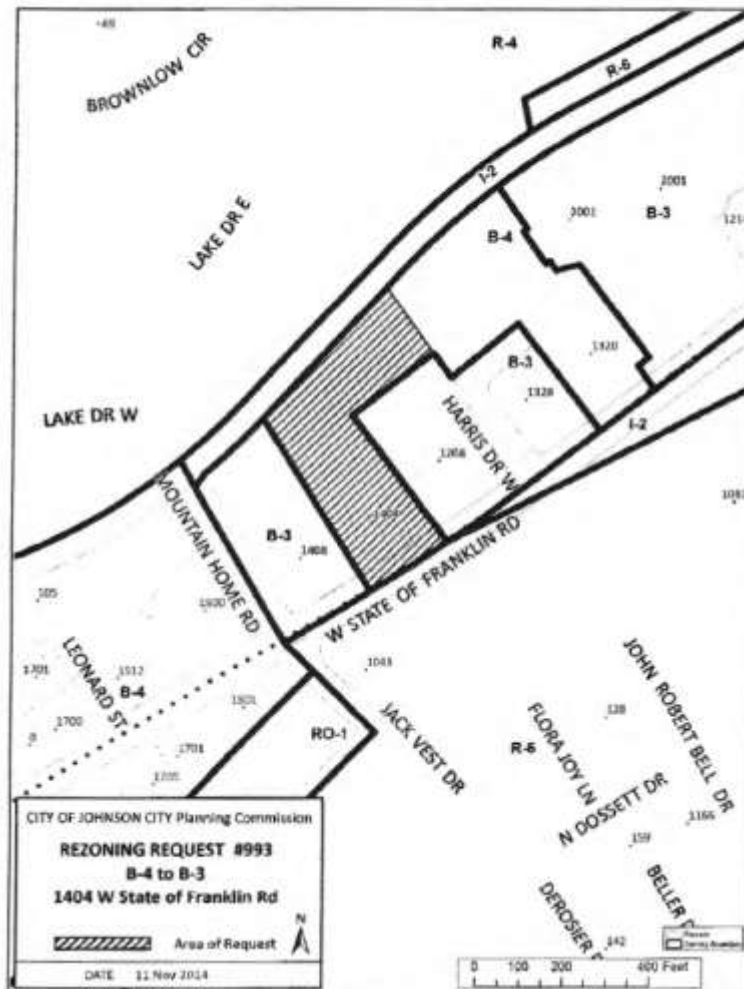
THENCE; ALONG LOT 1, CROSSING BRUSH CREEK, SOUTH 41 DEGREES 17 MINUTES 49 SECONDS EAST - 196.53 FEET TO AN EXISTING IRON ROD, CORNER TO LOT 9, UNIVERSITY SQUARE SUBDIVISION.

THENCE; ALONG LOT 9, SOUTH 48 DEGREES 43 MINUTES 45 SECONDS WEST - 230.02 FEET TO AN EXISTING IRON ROD.

THENCE; SOUTH 41 DEGREES 16 MINUTES 58 SECONDS EAST - 311.62 FEET TO THE POINT OF BEGINNING. CONTAINING 2.80 ACRES, MORE OR LESS. TAKEN FROM SURVEY DATED: 15 OCTOBER, 2009.

DESCRIPTION SAME AS PREVIOUSLY FOUND IN PLAT BOOK 19, PAGE 11.

"Exhibit 'B'"



Upon motion by Commissioner Jenny Brock, seconded by Commissioner Jeff Banyas, **Ordinance No. 4572-14**, "TO REZONE PROPERTY ALONG EAST MARKET STREET FROM I-2 (HEAVY INDUSTRIAL DISTRICT) TO R-4 (MEDIUM DENSITY RESIDENTIAL)," was **passed on third reading**. The motion **carried** by five ayes. There were no nay votes.

**ORDINANCE NO. 4572-14**

AN ORDINANCE TO AMEND THE ZONING MAP OF THE CITY OF JOHNSON CITY, TENNESSEE BEING PART OF THE APPENDIX TO ORDINANCE NO. 1519 ENTITLED "AN ORDINANCE TO ADOPT A CODE OF LAWS AND ORDINANCES FOR THE CITY OF JOHNSON CITY, TENNESSEE, AND TO REPEAL ALL LAWS AND ORDINANCES IN CONFLICT THEREWITH", AND AMENDATORY THEREOF, BY CHANGING FROM A I-2 (HEAVY INDUSTRIAL) DISTRICT TO A R-4 (MEDIUM DENSITY RESIDENTIAL) DISTRICT FOR CERTAIN PROPERTY LOCATED ALONG MARKET STREET.

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**BE IT ORDAINED BY THE CITY OF JOHNSON CITY AS FOLLOWS:**

**SECTION 1.** That the Zoning Map of the city of Johnson City, Tennessee, being a part of the appendix to Ordinance No. 1519 entitled, "An Ordinance to Adopt a Code of Laws and Ordinances for the City of Johnson City, Tennessee, and to Repeal All Laws and Ordinances in Conflict Therewith," and all ordinances supplementary thereto and amendatory thereof, be and the same is hereby amended and modified by changing the zoning on the following described property from a I-2 (Heavy Industrial) District to a R-4 (Medium Density Residential) District.

See description marked "Exhibit 'A'" hereto.

See map of the above-described property marked "Exhibit 'B'" hereto.

See associated Concept Plan marked "Exhibit 'C'" hereto

**SECTION 2. BE IT FURTHER ORDAINED,** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 3. BE IT FURTHER ORDAINED,** That this ordinance shall take effect from and after its passage on third and final reading and publication as required by law, the public welfare requiring it.

PASSED ON FIRST READING  
PASSED ON SECOND READING  
PASSED ON THIRD READING

04 Dec 2014  
18 DEC 2014  
15 Jan 2015

APPROVED AND SIGNED IN OPEN MEETING  
ON THE 15<sup>th</sup> DAY OF January, 2015

/s/ Ralph Van Brocklin  
MAYOR

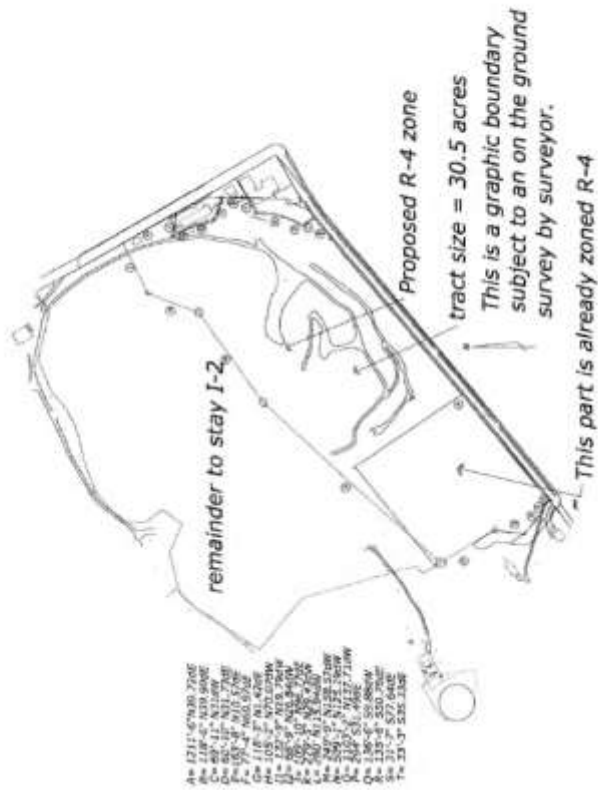
**ATTEST:**

/s/ Janet Jennings  
**City Recorder**

**APPROVED AS TO FORM:**

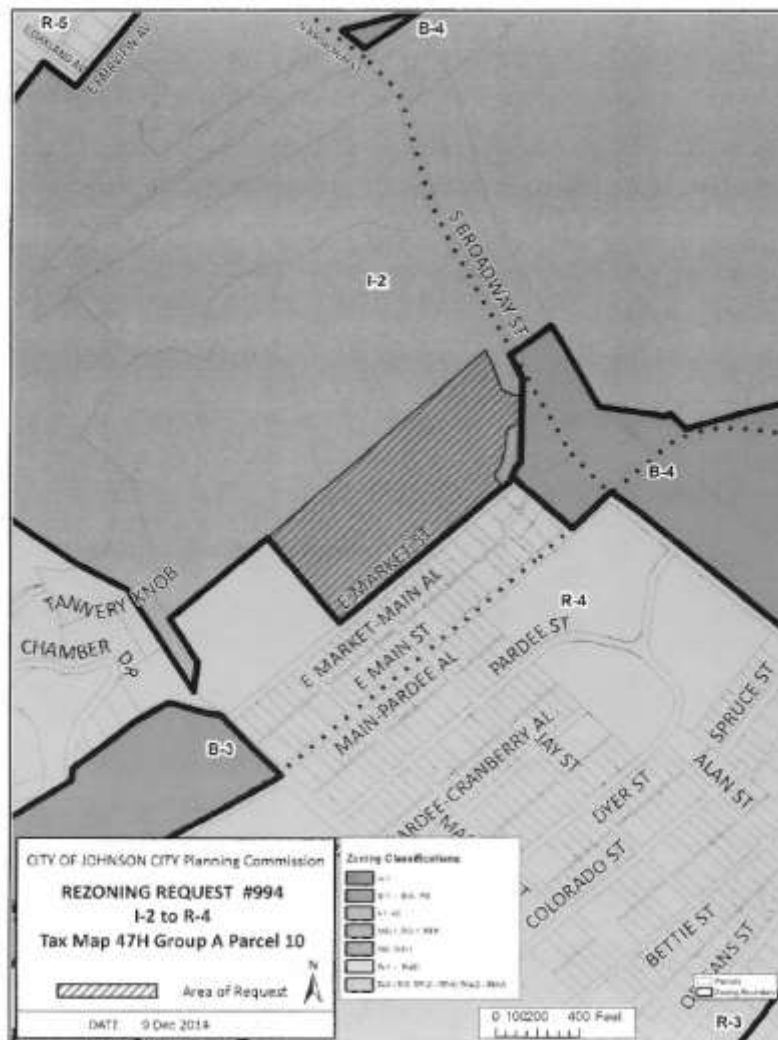
/s/ James H. Epps, IV  
**City Attorney**

"Exhibit 'A'"

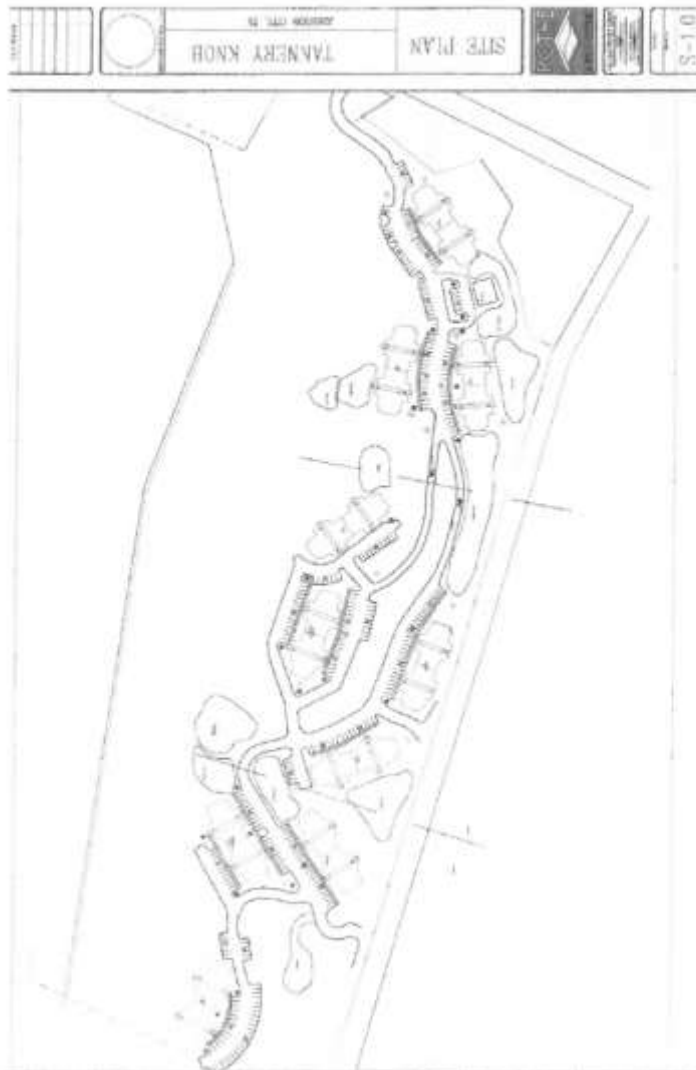




"Exhibit 'B'"



"Exhibit C"



At this time, Erick Herrin, Attorney, addressed the City Commission and reviewed the amendments included in Ordinance No. 4573-15.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, **Ordinance No. 4573-15**, "TO AMEND THE ZONING ORDINANCE REGARDING NON-RESIDENTIAL SUBSTANCE ABUSE TREATMENT FACILITIES," was **passed on first reading**. The motion **carried** by five ayes. There were no nay votes.

Upon motion by Commissioner David Tomita, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by four ayes. Mayor Ralph Van Brocklin voted nay.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the amended Concept Plan for the property located at 100 East Highland Road, contingent on deceleration lane being extended to the traffic light at the exit ramp, be and the same is hereby approved.

Upon motion by Vice-Mayor Clayton Stout, seconded by Commissioner Jeff Banyas, the following resolution was offered for adoption. The motion **carried** by four ayes. Commissioner Jenny Brock was absent from the Chambers. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the Facility Naming Policy Amendment, be and the same is hereby approved.

At this time, Dan Wheelley, EMS Director, addressed the City Commission regarding a request to fund Automated Vehicle Locater (AVL) equipment. No action was taken at this time.

At this time, the following presentations were made:

- Mark Sirois, Police Chief, presented a status report on Public Safety recommendations.
- Anthony Todd, Traffic Engineer, made a presentation regarding Traffic Issues along State of Franklin Road/Roan Street.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That the addition to the agenda of the consideration of declaring the remaining inventory of Tweetsie Trail t-shirts as surplus and authorization for the Task Force to arrange the sale of shirts through retailers, vendors, volunteers or other channels as appropriate, be and the same is hereby approved.

Upon motion by Commissioner Jeff Banyas, seconded by Commissioner Jenny Brock, the following resolution was offered for adoption. The motion **carried** by five ayes. There were no nay votes.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF JOHNSON CITY, That declaration of the remaining inventory of Tweetsie Trail t-shirts as surplus and authorization for the Task Force to arrange the sale of shirts through retailers, vendors, volunteers or other channels as appropriate, be and the same is hereby approved.

There being no further business or discussion, Mayor Ralph Van Brocklin adjourned the meeting at 9:16 p.m.

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RALPH VAN BROCKLIN  
MAYOR

---

JANET JENNINGS  
CITY RECORDER

ITEMS DEFERRED:

1. *Deferral* of the consideration of Bid 3879 from Taff and Frye, Former U-Haul location asbestos abatement and demolition, until the February 5, 2015, City Commission meeting, in order to allow time to make the following determinations: (1) structural soundness of the sign, (2) parties responsible for determining what will go on the sign, (3) parties responsible for new sign face, and (4) parties responsible for ongoing maintenance.

ACTION ITEMS:

1. None.